

ORDINANCE NUMBER 2270 (CCS)

(City Council Series)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
SANTA MONICA AMENDING MUNICIPAL CODE PROVISIONS REGULATING
CAMPAIGN CONTRIBUTIONS

WHEREAS, Santa Monica is a relatively small city with a strong sense of community and robust tradition of resident participation in local government; and

WHEREAS, in recent elections, very wealthy entities and interests have threatened to dominate local elections through very large, last minute contributions and expenditures; and

WHEREAS, local law limits contributions and does not limit expenditures, but recent court decisions blur the line between the two, particularly with regard to independent committees; and

WHEREAS, the City is committed to both respecting constitutional rights of individuals and minimizing the risk that local elections will be dominated by wealthy special interests; and

WHEREAS, the City Council wishes to clarify its intent to respect rights of association and free speech and to regulate contributions to the full extent allowed by law.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA MONICA
DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Santa Monica Municipal Code Section 11.04.030 is hereby
amended to read as follows:

11.04.030 Findings and purpose.

(a) Monetary contributions to political campaigns are a legitimate form of participation in the American political process, but the financial strength of certain individuals or organizations should not permit them to exercise a disproportionate or controlling influence on the election of candidates.

(b) The rapidly increasing costs of political campaigns have forced many candidates to raise larger and larger percentages of money from interest groups with a specific financial stake in matters before City governmental bodies. This has caused the public perception that votes are being improperly influenced by monetary contributions. This perception is undermining the credibility and integrity of the governmental process.

(c) Officeholders are responding to high campaign costs by raising ever-increasing amounts of money. This fundraising distracts public officeholders from important

public matters and encourages contributions which may have the appearance of a corrupting influence.

(d) High campaign costs discourage community members from running for public office because newcomers to the political process may lack access to the financial resources necessary to wage effective campaigns.

(e) Limiting campaign contributions helps ensure equal opportunities for all candidates, promotes diversity among candidates and strengthens the community's trust that their government is representative.

(f) Limiting contributions to candidates and committees, to the full extent allowed by law, helps promote participation in government and trust that the democratic process is not subverted by affluent special interest groups.

(g) Powerful special interests in Santa Monica have, in past elections, sought to use their wealth to dominate election results.

(h) Santa Monica can best preserve its sense of community, safeguard its local democracy, and effectuate its commitment to fair public process by limiting all campaign contributions.

(i) By enacting this Chapter, the City Council seeks: to ensure that individuals and interest groups in our society have a fair and equal opportunity to participate in the elective and governmental processes; to reduce the influence of large contributors with a specific financial stake in matters before City governmental bodies; to curtail overall expenditures in campaigns; to reduce the excessive fundraising advantage of incumbents and thus encourage competition for elective office; to improve the disclosure of contribution sources in reasonable and effective ways; and to help restore public trust in governmental and electoral institutions. (Prior code § 11201; added by Ord. No. 1630CCS § 1, adopted 6/9/92)

SECTION 2. Santa Monica Municipal Code Section 11.04.050 is hereby amended to read as follows:

11.04.050 Limitations on contributions from persons.

(a) No person shall make to any candidate for office or to the controlled committee of such a candidate or to any committee which supports or opposes such candidate, a contribution or contributions totaling more than

two hundred fifty dollars for each election in which the candidate was on, is on, or is likely to be on the ballot or in which the candidate sought or seeks write-in votes.

(b) No candidate for office or the controlled committee of such a candidate or any committee which supports or opposes such candidate shall accept from any person a contribution or contributions totaling more than two hundred fifty dollars for each election. (Prior code § 11203; added by Ord. No. 1630CCS § 1, adopted 6/9/92)

(c) This section shall not be interpreted or applied to violate the right of association or the right to express views through expenditures. Rather, it is intended to be and shall be applied solely as a limit on campaign contributions to individuals and committees.

SECTION 3. Any provision of the Santa Monica Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

SECTION 4. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the

remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 5. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption. This Ordinance shall become effective 30 days from its adoption.

APPROVED AS TO FORM:

(d)(5)

MARSHA JONES MOUTRIE
City Attorney